THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 23660 of 2001

DATE: 20-09-2007

Between :

A.Kannaiah Naidu

… Petitioner

And

Chief Commissioner of Land
Administration, A.P., Hyderabad and 3 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 23660 of 2001

ORDER:

This writ petition is filed seeking a declaration that the order passed by the third respondent dated 03-09-2001 directing the Mandal Revenue Officer to carry out necessary changes in the Revenue Records in the names of the 4th respondent and others on the basis of the clarification received from the first respondent with regard to Acs.79.79 cents of land situated in Sy.No.436/1 of Avulapalli village, is illegal and arbitrary.

The writ petitioner who claims to be in occupation of the said land assailed the impugned proceedings on various grounds.

This Court, while directing Rule Nisi, by order, dated 17-11-2001, ordered that *status quo* as on that date shall be maintained so far as the possession of Ac.1.40 cents claimed by the petitioner. Subsequently, having taken note of the submission of the learned counsel for the respondents that the petitioner was in possession of the land belonging to the Government, the order dated 17-11-2001 was modified directing the petitioner to deposit a sum of Rs.10,000/- on or before 31-01-2002.

However, in the counter affidavit filed on behalf of the Joint Collector, Chittoor it is stated that Ac.1.40 cents, which is in possession of the petitioners is the patta land of the 4th respondent.

The said fact has not been disputed by the petitioner and when the writ petition is taken up for hearing, it is represented by the learned counsel for the petitioner that during the pendency of this writ petition, the petitioner has purchased the land in question from the legal representatives of the 4th respondent under a registered sale deed dated 09-12-2004. Having regard to the subsequent events, the learned counsel for the petitioner represented that no further

adjudication is necessary on merits.

Accordingly, the writ petition is disposed of.

Since it is admitted in the counter affidavit of the respondents that the land in question was not Government land but a patta land of the 4th respondent, there shall be a direction to the Registry to return the sum of Rs.10,000/- deposited in compliance with the interim order of this Court dated 28-12-2001 to the petitioner. No costs.

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G. ROHINI, J

Date:20-09-2007

KLP